

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

COMCAM INTERNATIONAL, INC.,	§	
<i>Plaintiff,</i>	§	Civil Action No. 2:13-CV-795-JRG-RSP
v.	§	JURY TRIAL DEMANDED
AT&T CORP.,	§	(LEAD CASE)
<i>Defendant.</i>	§	
COMCAM INTERNATIONAL, INC.,	§	
<i>Plaintiff,</i>	§	Civil Action No. 2:13-CV-798-JRG
v.	§	JURY TRIAL DEMANDED
MOBOTIX CORP.,	§	(CONSOLIDATED CASE)
<i>Defendant.</i>	§	
COMCAM INTERNATIONAL, INC.,	§	
<i>Plaintiff,</i>	§	Civil Action No. 2:13-CV-799-JRG
v.	§	JURY TRIAL DEMANDED
MONITRONICS INTERNATIONAL, INC.,	§	(CONSOLIDATED CASE)
<i>Defendant.</i>	§	
COMCAM INTERNATIONAL, INC.,	§	
<i>Plaintiff,</i>	§	Civil Action No. 2:13-CV-800-JRG
v.	§	JURY TRIAL DEMANDED
PROTECT AMERICA, INC.,	§	(CONSOLIDATED CASE)
<i>Defendant.</i>	§	

COMCAM INTERNATIONAL, INC.,	§	
	§	
<i>Plaintiff,</i>	§	Civil Action No. 2:13-CV-873-JRG
	§	
v.	§	JURY TRIAL DEMANDED
	§	
STANLEY CONVERGENT SECURITY SOLUTIONS, INC.,	§	(CONSOLIDATED CASE)
	§	
<i>Defendants.</i>	§	
	§	

**ORDER FOCUSING PATENT CLAIMS AND
PRIOR ART TO REDUCE COSTS**

The Court ORDERS as follows:

1. This Order supplements all other discovery rules and orders. It streamlines the issues in this case to promote a “just, speedy, and inexpensive determination” of this action, as provided by Federal Rule of Civil Procedure 1.

Phased Limits on Asserted Claims and Prior Art References

2. By the date set for completion of claim construction discovery pursuant to P.R. 4-4, the patent claimant shall serve a Preliminary Election of Asserted Claims, which shall assert no more than fifteen claims from the patent-in-suit. Not later than 14 days after service of the Preliminary Election of Asserted Claims, the patent defendant shall serve a Preliminary Election of Asserted Prior Art, which shall assert no more than twenty-three prior art references for the patent-in-suit.¹

3. No later than 28 days before the service of expert reports by the party with the burden of proof on an issue, the patent claimant shall serve its Final Election of Asserted Claims as to each patent defendant, which shall identify no more than eight asserted claims from among

¹ For purposes of this Order, a prior art instrumentality (such as a device or process) and associated references that describe that instrumentality shall count as one reference, as shall the closely related work of a single prior artist.

the fifteen previously identified claims for the patent-in-suit. By the date set for the service of expert reports by the party with the burden of proof on an issue, each patent defendant shall serve its Final Election of Asserted Prior Art, which shall identify no more than ten asserted prior art references from among the twenty-three previously identified prior art references for the patent-in-suit. For purposes of this Final Election of Asserted Prior Art, each obviousness combination counts as a separate prior art reference.

Modification of this Order

4. Subject to Court approval, the parties may modify this Order by agreement, but should endeavor to limit the asserted claims and prior art references to the greatest extent possible. Absent agreement, post-entry motions to modify this Order's numerical limits on asserted claims and prior art references must demonstrate good cause warranting the modification. Motions to modify other portions of this Order are committed to the sound discretion of the Court.²

SIGNED this 20th day of May, 2014.



ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE

² This Order contemplates that the parties and the Court may further narrow the issues during pretrial proceedings in order to present a manageable case at trial.